

REMARKS

INTRODUCTION:

In accordance with the foregoing, the specification has been amended to correct typographical errors, and claims 49, 50, 60, 61, 68, 74, 75, 81 and 82 have been amended.

No new matter is being presented, and approval and entry of the foregoing amendments are respectfully requested.

Claims 1-82 are pending and under consideration. Reconsideration is requested.

OBJECTION TO CLAIM 74:

On page 2 of the Office Action, the Examiner objects to claim 74 for reasons set forth therein. In view of the above amendment to claims 74 and 75, applicants respectfully request the Examiner reconsider and withdraw the objection.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at pages 2-3, the Examiner rejects claim 49 under 35 U.S.C. §102 in view of Yagi (U.S. Patent No. 5,808,999). This rejection is respectfully traversed and reconsideration is requested.

As a point of clarification, claim 49 recites, among other features, "a light source to generate a first light beam with a wavelength of roughly 400 nm for use with recording and/or reproducing with respect to a first medium and a second light beam with a wavelength of roughly 650 nm for use with recording and/or reproducing with respect to a second medium other than the first medium."

In contrast, Yagi discloses a light source 12 having a wavelength of 635 nm to 650 nm for use with recording media 51, 54. (Col. 5, line 38-48 & 66-67, col. 6, lines 10-16; FIGs. 1 & 8). However, there is no suggestion that the light source 12 provides light with a wavelength below 635 nm, or that another light source is used which provides such a wavelength. As such, it is respectfully submitted that Yagi does not disclose or suggest the invention recited in claim 49.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action at pages 3-5, the Examiner rejects claims 60 and 74 under 35 U.S.C. §103 in view of Uedi et al. (U.S. Patent No. 6,418,108). The rejection is respectfully traversed and reconsideration is requested.

By way of review, Uedi et al. discloses an optical head 100 for use with an optical disc 101. The optical head 100 includes a first optical system 104 having a light source 106. The

light source 106 generates light having a wavelength between 635 and 650 nm, which is used to determine a thickness t of a light transmitting layer 103 of the optical disc 101. The light emitted from the light source 106 is focused on the optical disc 101 using an objective lens 109. (Col. 17, line 32 to col. 18, line 3; FIG. 9). There is no disclosure that the first optical system 104 is used to record or reproduce data.

The optical head 100 further includes a second optical system 105 having a light source 112. The light source 112 generates a light with a wavelength of 400 nm to 650 nm for use in recording/reproduction. The light from the light source 112 is focused on the optical disc 101 using a pair of objective lenses 119. According to the detected thickness t of the light transmitting layer 103 as determined by the first optical system 104, a collimator lens 115 is moved to correct a resulting spherical aberration. (Col. 17, lines 32-40, col. 18, lines 18-36 & 49-55, col. 20, lines 30-51; FIG. 9). However, there is no disclosure or suggestion that an additional light source is included in the second optical system 105 for use in recording and/or reproduction.

On pages 4-5 of the Office Action, the Examiner asserts that it would have been obvious to include another light source having a wavelength below 500 nm for the benefit of accessing two high density recording media instead of one. However, it is noted that Uedi et al. does not suggest using a second light source for recording and/or reproduction, or that the objective lens 119 would be usable with a second light source. There is further no suggestion that the objective lens 119 should be used with light sources having wavelengths above 500 nm and below 500 nm. As such, there does not appear to be either the disclosure of such a second light source used with the objective lens 119 in the prior art, or a suggestion in the prior art as to why such a second light source should be used.

In contrast, claim 60 recites, among other features, "light sources to emit respective light beams of different wavelengths, wherein one of the wavelengths is less than roughly 500 nm and another one of the wavelengths is more than roughly 500 nm," and "an optical element to focus the light beams onto respective media." As such, it is respectfully submitted that the combination of Uedi et al. and the Examiner's assertion does not disclose or suggest the invention recited in claim 60.

For similar reasons, it is respectfully submitted that the combination of Uedi et al. and the Examiner's assertion does not disclose or suggest at least "light sources to emit a light beam of less than roughly 400 nm and another light beam having a wavelength suitable for recording and/or reproducing data with respect to a digital versatile disc" as recited in claim 74.

STATUS OF CLAIMS NOT REJECTED:

On pages 5-6 of the Office Action, the Examiner allows claims 1-48 and 71-73, and objects to claims 50-59, 61-70, and 75-82 for depending from rejected claims.

Claims 50, 61, and 75 have been made independent and have not been amended to narrow the scope of the claims. Claim 50 has been further amended to recite "a wavelength" instead of "wavelengths." Claim 61 has been further amended to recite that not all of the wavelengths need be below 500 nm and to recite "respective light beams" instead of "respective light beam." Consistent with the Examiner's objection on page 2 of the Office Action, claim 75 has been clarified to recite "a light source" as opposed to "light sources," and claims 75, 81, and 82 have been clarified to recite "medium" instead of "media," "a beam splitter" instead of "beam splitters," and "a detector" instead of "detectors." It is respectfully submitted that the amendments do not narrow the scope of the claims as would have been understood by one of ordinary skill in the art. As such, it is respectfully requested that the Examiner reconsider and withdraw the objection to claims 50-59, 61-70, and 75-82.

CONSIDERATION OF PREVIOUSLY FILED INFORMATION DISCLOSURE STATEMENT:

In the Office Action, the Examiner provides a signed form PTO-1449 provided in the Information Disclosure Statement filed June 12, 2003. However, the Office Action does not refer to the Information Disclosure Statement filed October 30, 2000 with the instant application. A copy of the filed Information Disclosure Statement and evidence of prior receipt is enclosed for the convenience of the Examiner. Applicants respectfully request consideration of the publication submitted with the Information Disclosure Statement filed October 30, 2000.

CONCLUSION:

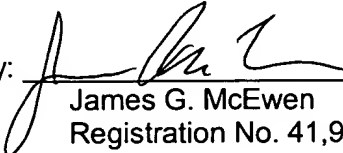
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. (ORIGINAL) And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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